

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

BRYAN BALDWIN

PLAINTIFF

v.

Case No. 2:18-cv-0071-KGB-JJV

**OCIE BANKS, Sheriff,
Lee County, *et al.***

DEFENDANTS

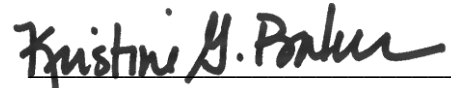
ORDER

The Court has reviewed the two Proposed Findings and Recommendations (“Recommendations”) submitted by United States Magistrate Judge Joe J. Volpe (Dkt. Nos. 21, 25). No objections have been filed to either Recommendation, and the time to file objections has passed. After careful review, the Court concludes that the first Proposed Findings and Recommendations should be, and hereby are, approved and adopted in part as this Court’s findings (Dkt. No. 21). Judge Volpe recommends dismissing with prejudice claims against defendant Ocie Banks; the Court instead dismisses without prejudice these claims. The Court concludes that the second Proposed Findings and Recommendations should be, and hereby are, approved and adopted as this Court’s findings (Dkt. No. 25).

Accordingly, the Court grants Mr. Banks’s motion to dismiss (Dkt. No. 19), and the Court grants defendant Essie Clay’s motion for judgment on the pleadings (Dkt. No. 23). The Court dismisses without prejudice plaintiff Bryan Baldwin’s claims against Mr. Banks and dismisses with prejudice his claims against Ms. Clay. The Court dismisses Mr. Baldwin’s complaint and amended complaint (Dkt. Nos. 2, 4). The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an *in forma pauperis* appeal from this Order adopting these recommendations would not be taken in good faith.

Also before the Court is Ms. Clay's motion to stay discovery (Dkt. No. 27). The Court denies as moot Ms. Clay's motion (Dkt. No. 27).

So ordered this 14th day of February, 2019.

A handwritten signature in black ink, reading "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge